

SOUTHERN DISTRICT OF NY COUNTY

ATTORNEY(S): PH:

ADDRESS: File No.: 0114/099/7

KIMBERLY A. CARPENTER, ET AL

vs.

MARIE PUPKE, ET AL

Plaintiff(s)/Petitioner(s)

Defendant(s)/Respondent(s)

STATE OF NEW YORK, COUNTY OF DUTCHESS SS.:

MIKE LEWIS, being duly sworn deposes and says: Deponent is not a party herein, is over 18 years of age and resides in New York State. On October 24, 2007 at 8:45 AM, at 445 WARREN ST., HUDSON, NY., 12543, deponent served the within

SUBPOEA & LETTER

with Index Number 07-CIV-5689, and Date Filed , endorsed thereon,
on: RICHARD KOWEEK, ESQ., Defendant therein named.

#1 INDIVIDUAL By delivering a true copy of each to said recipient personally; deponent knew the person served to be the person described as said person therein.

#2 CORPORATION By delivering to and leaving with and that deponent knew the person so served to be Managing Agent of the corporation, and authorized to accept service on behalf of the corporation.

Service was made in the following manner after your deponent was unable, with due diligence, to serve the witness/defendant in person, and an attempt to locate the defendant's place of employment.

#3 SUITABLE AGE PERSON By delivering a true copy of each to a person of suitable age and discretion. Said premises is recipient's [] actual place of business [] dwelling house (usual place of abode) within the state.

#4 AFFIXING TO DOOR By affixing a true copy of each to the door of said premises, which is recipient's: [] actual place of business [] dwelling house (place of abode) within the state.

#5 MAIL COPY On , deponent completed service under the last two sections by depositing a copy of the to the above address in a 1st Class postpaid properly addressed envelope marked "Personal and Confidential" in an official depository under the exclusive care and custody of the United States Post Office in the State of New York. Certified Mail No.

Deponent was unable, with due diligence to find recipient or a person of suitable age and discretion, having called thereat on the day of at
 on the day of at
 on the day of at
 on the day of at

#6 NON-SRVC After due search, careful inquiry and diligent attempts, I have been unable to effect process upon the person/entity being served because of the following: [] Unknown at Address [] Evading [] Moved left no forwarding [] Address does not exist [] Other:

#7 DESCRIPTION A description of the Defendant, or other person served, or spoken to on behalf of the Defendant is as follows:

Sex Male Color of skin White Color of hair Black/Gray Age 36 - 50 Yrs. Height 5' 9" - 6' 0"
(use with #1, 2 or 3) Weight 161 - 200 Lbs. Other Features: Beard and Mustache, Glasses

#8 WIT. FEES \$85.98 the authorized witness fee and / or traveling expenses were paid (tendered) to the recipient.

#9 MILITARYSRVC Deponent asked person spoken to whether the respondent/defendant was presently in military service of the United States Gov't or of the State of N.Y. and was informed that Respondent/Defendant was not. Recipient wore ordinary civilian clothes and no military uniform.

#10 OTHER

Sworn to before me on this 25 day of October, 2007

LEO T. LA PRADE, JR.
NOTARY PUBLIC, State of New York
No. 01LA4961013, Dutchess County
Term Expires January 8, 2010

MIKE LEWIS
Server's Lic #
Invoice•Work Order #9965167